

REMARKS

Claims 2-16, 18-23, 25-28, 31-35 and 38-44 are pending. Claims 1, 17, 24, 30, 36 and 37 are cancelled by the present Amendment. Claim 29 was cancelled by a prior amendment.

Applicant thanks the Examiner for withdrawing a number of prior rejections.

I. Amendments

The claims have been amended to replace the term "film" with the original term "web".

Claim 7 was rewritten in independent form because it was not rejected for prior art.

Claim 15 is rewritten to recite Claim 17 in independent form. Claim 16 is rewritten to recite Claim 30 in independent form. Thus, Claim 15 combines its base Claim 1 and its dependent Claim 17. Claim 16 combines its base Claim 1 and its dependent Claim 30. Claims 1, 17 and 30 are cancelled consistent with the amendment of Claims 15 and 16.

Claims dependent on Claim 1 have been amended to depend from Claim 7 or Claim 15.

Claims 24, 36 and 37 have been cancelled to moot a 35 USC 112, second paragraph rejection. Claims 25-28, formerly depending from Claim 24, are amended to depend from Claim 16 (Claim 16 was the base claim of Claim 24).

Claims 9-14, 18-20 and 31-32 are amended to improve antecedent basis.

It is respectfully submitted that no new matter or new issues are presented by the above amendments.

II. Specification objection

The term "(or in other words, "film")" has been removed from the specification to moot the objection to the specification.

III. 35 USC § 112, First Paragraph

Claims 1-28 and 30-34 stand rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action takes issue with the added term "film" as not being supported by the original disclosure.

Applicant amended the claims to change the term back to "web". The term "web" is a term of art. As evidence of this, Applicant attaches pages 428-1 and 428-24 from the USPTO Patent Classification Definitions defining "sheet" and "web" interchangeably (ATTACHMENT

I). Also, applicant attaches four articles using the term "web" found by a recent Internet search (ATTACHMENTS II-V). Thus, the term "web" is a proper term for the material of the claims and is not limited to lacey/woven material as asserted in the April 1, 2003 Office action.

IV. 35 USC § 112, Second Paragraph

A. Claims 17-20 and 36

Claims 17-20 and 36 stand rejected under 35 USC § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim that which is considered the invention. The Office Action asserts these claims are unclear for not specifying the number of layers contained in the laminates.

It is respectfully submitted the amendments to Claims 15 and 16 overcome this rejection.

B. Claims 36 and 37 - PVC

Claims 36 and 37 stand rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim that which is considered the invention. The Office Action asserts the term "PVC-containing compound" renders the claim unclear. Claims 36 and 37 have been cancelled to moot this rejection.

Claim 24 also contained the objected to term but this was overlooked by the Examiner. Thus, Claim 24 is also cancelled and its dependent claims 25-28 are amended to depend from Claim 16 which was the base claim of Claim 24.

V. 35 USC § 103

Claims 1-6, 8-28 and 30-34 stand rejected under 35 USC §103(a) as allegedly being unpatentable over JP 04007142 in view of JP 04353443. The Examiner kindly supplied English language translations of both references. The Office Action asserts JP '142 teaches each feature recited by the rejected claims, except for the particular blend of polyesters, for which purpose JP '443 is cited. Claim 7 is not rejected in view of prior art.

Amended Claims 15 and 16 distinguish over JP '142 and JP '443 as neither of these documents disclose or include any teaching towards a laminate comprising a metal substrate and a plastic layer wherein the plastic layer comprises an adhesive layer, an intermediate layer and a top layer. JP '142 discloses a metallic body coated with an adhesive layer and vinyl chloride group resin coating layer. JP '443 discloses a metal plate coated with a thermoplastic polyester

resin composition produced by a thermal fusion reaction between 95-5 wt. % crystalline polyester and 5-95 wt. % non-crystalline polyester. The presently claimed laminates of Claims 15 and 16 comprise an adhesive layer, an intermediate layer and a top layer wherein either the adhesive layer or the top layer substantially comprises a plastic web produced by extruding a mixture of crystallizable polyester or non-crystallizable polyester and wherein the intermediate layer substantially comprises a plastic web produced by extruding a polyester. It is respectfully submitted this is not taught or suggested by either JP '142 or JP '443 either singly or in combination.

The present invention of Claims 15 and 16 has the advantages that the top layer and/or the adhesive layer have improved adhesive function and can be kept thin while the intermediate layer provides sufficient thickness and strength to the plastic layer (see, e.g., present application, page 4, lines 10-14).

VI. Claim 7 - Allowable Subject Matter


As mentioned above, Claim 7 is not subject to any prior art rejection. Thus, in view of the above arguments overcoming the 35 USC 112, second paragraph rejection, Claim 7 presents allowable subject matter.

VII. Conclusion

In view of the above it is respectfully submitted that all objections and rejections are overcome. Hence, a Notice of Allowance is respectfully requested.

Respectfully submitted,

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